

AMENDMENT AND RESPONSE

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Serial No.: 10/724,336

Filing Date: 11/29/2003

Attorney Docket No. 142.009US01

Title: SENSING APPARATUS AND METHOD

REMARKS

Applicant has reviewed the Final Office Action mailed on January 5, 2006 as well as the art cited. Claims 1-6, 8, 10-18, 38-41 and 44-48 are pending in this application. This response should be entered because it appears that the Examiner misunderstood the arguments presented in the prior response. application. The arguments presented in the prior response were that a "man-machine interface" is a structural limitation of the claims. However, the Examiner did not address this limitation in the Final Office Action. In stead, the Examiner's statements were directed to explaining why the cited art is analogous art rather than showing where in the cited art the "man-machine interface" is disclosed. Consequently, Applicant asserts that the arguments presented in the prior response were not fully considered. Applicant believes that this misunderstanding provides a "showing of good and sufficient reasons" why the arguments are necessary and should be entered so that the Examiner can fully consider the "man-machine interface" limitation. See 37 C.F.R §1.116.

Rejections Under 35 U.S.C. § 103

Claims 1-6, 8 and 10-14 were rejected under 35 USC § 103(a) as being unpatentable over Brosh (U.S. Patent No. 4,253,079) in view of Hasegawa et al (U.S. Patent No. 4,959,631). Applicant respectfully traverses this rejection.

In the office action dated June 23, 2005, claims 1-6, 8 were rejected over Brosh in view of Hasegawa. In response to the office action dated June 23, 2005, Applicant stated that "claims 1-6 and 8 are directed to a man-machine interface. Neither Brosh nor Hasegawa et al relates to a man-machine interface. Accordingly, it is submitted that claims 1-6 and 8 are not made obvious by the combination of Brosh and Hasegawa et al." Applicant's intended meaning in presenting the previous argument is that "a man-machine interface" is a structural limitation not found in either Brosh or Hasegawa. This limitation is further expressed by the claimed "mounting allowing movement of the intermediate coupling element along a measurement direction transverse to the planar substrate *in response to a force applied by a user.*" Neither Brosh nor Hasegawa, taken alone or in combination, teaches or suggests the "man-machine interface" limitation of claim 1. Therefore, claim 1 is not obvious over Brosh in view of Hasegawa.

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Applicant respectfully requests that the Examiner enter the amendment and withdraw the rejection.

Claims 2-6, 8 and 10-14 depend directly or indirectly from claim 1 and, thus, are allowable for at least the reason stated above with respect to claim 1. Applicant, therefore, requests that the Examiner withdraw the rejection.

Allowable Subject Matter

Applicant thanks the Examiner for the indication that Claims 38-41 and 44-48 are in condition for allowance.

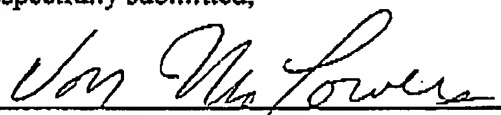
CONCLUSION

Applicant respectfully submits that claims 1-6, 8, 10-18, 38-41 and 44-48 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 332-4720.

Respectfully submitted,

Date: 3/6/2006


Jon M. Powers
Reg. No. 43,868

Attorneys for Applicant
Fogg and Associates, LLC
P.O. Box 581339
Minneapolis, MN 55458-1339
T - (612) 332-4720
F - (612) 332-4731